THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 21070 OF 2003

Dated 25th July 2007

Between:

Yerram Appa Rao

…Petitioner

and

The Govt. of A.P., rep.by its Principal Secretary,
Roads & Buildings Department, Secretariat,
Hyderabad & others.

…Respondents

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O R D E R:

The petitioner challenges the levy of seignorage fee on ordinary earth, used in the works covered by an agreement, dated 11.10.2001, and supplemental agreement dated 20.6.2003.

Learned counsel for the petitioner and learned Government Pleader for Roads and Buildings, submit that the subject matter of this writ petition is covered by the judgment, dated 6.3.2003, rendered by a Division Bench of this court in W.P.No.3688 of 2003. It was held that seignorage fee cannot be levied on ordinary earth, used during the course of execution of civil works.

Following the same, the writ petition is allowed. There shall be no order as to costs.

25th July 2007

PAN